

STATE OF NEW YORK

6868

2025-2026 Regular Sessions

IN ASSEMBLY

March 14, 2025

Introduced by M. of A. HOOKS -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to the civil penalties for violations of child labor laws

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 141 of the labor law, as amended
2 by chapter 642 of the laws of 1991, is amended to read as follows:
3 1. If the commissioner finds that an employer has violated any
4 provision of this article or of a rule or regulation promulgated there-
5 under, the commissioner may by an order which shall describe particular-
6 ly the nature of the violation, assess the employer a civil penalty of
7 not more than [~~one~~] three thousand dollars for the first such violation,
8 no less than three thousand but not more than [~~two~~] five thousand
9 dollars for a second violation, and no less than five thousand but not
10 more than [~~three~~] ten thousand dollars for a third or subsequent
11 violation. Such penalty shall be paid to the commissioner for deposit in
12 the treasury of the state. In assessing the amount of the penalty, the
13 commissioner shall give due consideration to the size of the employer's
14 business, the good faith of the employer to believe that its conduct was
15 in compliance with the law, the gravity of the violation, the history of
16 previous violations and the failure to comply with record-keeping or
17 other requirements, provided, however, that where such violation
18 involves illegal employment during which a minor is seriously injured or
19 dies, such penalty shall be treble the maximum penalty allowable under
20 the law for such violation. For the purposes of this subdivision, a
21 minor shall be deemed to be seriously injured if such injury results in
22 a permanent partial or permanent total disability as determined by the
23 workers' compensation board.
24 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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